

## REMARKS

The Office Action dated December 26, 2007 has been received and considered. In this response, claims 1, 3, 8, 10, 13, 15, 16, 18, and 20 have been amended, claims 9, 11, 12, and 14 have been canceled without prejudice or disclaimer, and new claims 21-24 have been added. Support for the amendments to the claims and the addition of the new claims is found in the specification and drawings as originally filed. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

### Obviousness Rejection of Claims 1-7 and 18-20

At page 2 of the Office Action, claims 1-7 and 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Maeda (U.S. Patent No. 5,606,630) and Mita (U.S. Patent No. 5,231,677). This rejection is respectfully traversed with amendment.

Independent claims 1, 18, and 20 have been amended to recite subject matter substantially similar to the subject matter recited by original claims 9 and 11. The Office acknowledges that the proposed combination of Maeda and Mita fails to disclose or suggest this subject matter. *See Office Action*, p. 6. Reconsideration of this obviousness rejection therefore is respectfully requested.

### Obviousness Rejection of Claims 8-16

At page 6 of the Office Action, claims 8-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Maeda, Mita and Koc (U.S. Patent No. 5,790,686). This rejection is respectfully traversed.

As noted above, independent claims 1, 18, and 20 have been amended to recite subject matter similar to the subject matter presented by claims 9 and 11 as originally filed. Independent claim 1 presently recites the features of “blending the first video layer with a first other layer based upon ***only one of a vertical edge component or a horizontal edge component.***” Independent claim 18 presently recites the features of “the blending ratio is based on ***only one of a vertical edge component or a horizontal edge component*** of the edge layer.” Similarly, independent claim 20 presently recites the features of “a blending controller . . . to provide a

destination layer of a video image based upon the smoothed video image and *only one of a vertical edge component or a horizontal edge component* of the edge layer.”

The Office acknowledges that Mita and Maeda fails to disclose or suggest the subject matter recited by claims 8-16 and therefore cites Koc as teaching this subject matter. *Office Action*, p. 6. Turning to the passage of Koc at col. 20, lines 35-63 relied upon by the Office, Koc teaches “[s]ince we only intend to extract the main features of moving objects while keeping the overall complexity low, we employ a very simple edge detection by convolving *horizontal and vertical* Sobel operators of size 3x3 [equation omitted] with the image to obtain *horizontal and vertical gradients* respectively and then combine *both gradients* by taking the square root of the sum of the squares of *both gradients*” (emphasis added). Thus, Koc teaches using *both* the horizontal and the vertical edge components, whereas the pending claims provide for the use of *only one of* the vertical edge component or the horizontal edge component for blending.

Addressing claims 9 and 11 (which recited features similar to those now found in independent claims 1, 18, and 20), the Office rejects these claims under a general rationale that “it is well known in the art as shown by Koc . . . to use horizontal and vertical gradient filters. *It is well known in the art to use either or both horizontal and vertical gradients depending on many factors ranging from processing time to the types of edges the user wants to detect.*” *Id.* (emphasis added). As noted above, Maeda and Mita fail to contemplate horizontal and vertical edge components in any particularity and Koc teaches the use of *both* horizontal and vertical gradients and fails to disclose or suggest the use of *only one of* horizontal or vertical gradients, much less that such use of only one would be based on processing time or the types of edges the user wants to detect. Thus, none of the cited references support the Office’s assertion that it is well known in the art to use only one of a vertical edge component or a horizontal edge component. Rather, it appears that the Office is using an improper hindsight construction in view of the teachings of the present application in making its assertion that the use of only one of a horizontal edge component or a vertical edge component in blending is well known. Accordingly, should the Office persist in rejecting the claims based on the rationale that the use of only one of a horizontal edge component or a vertical edge components is well known, the Applicant respectfully requests that the Office furnish a prior art reference that fully supports this assertion.

As Maeda, Mita, and Koc fail to disclose or suggest, individually or in combination, at least one feature presently recited by each of independent claims 1, 18, and 20, the proposed combination of Maeda, Mita, and Koc fails to disclose or suggest each and every feature recited by claims 1-8, 10, 13, 15, and 16-20. Reconsideration and withdrawal of this obviousness rejection therefore is respectfully requested.

### **Obviousness Rejection of Claim 17**

At page 6 of the Office Action, claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Maeda, Mita, Koc and Lee (U.S. Patent No. 6,160,913). This rejection is respectfully traversed.

Claim 17 depends from claim 1. As discussed above, the combination of Maeda, Mita, and Koc fails to disclose or suggest at least one feature of claim 1. Lee fails to compensate for the deficiencies of Maeda, Mita, and Koc with respect to claim 1. Accordingly, the proposed combination of Maeda, Mita, Koc, and Lee fails to disclose or suggest the particular combination of features recited by claim 17. Reconsideration and withdrawal of this obviousness rejection therefore is respectfully requested.

### **Addition of New Claims 21-24**

New claims 21-24 have been added. Support for the addition of new claims 21-24 is found in the present application as originally filed (see, e.g., original claims 9 and 11). New claims 21 and 22 depend from independent claim 20 and new claims 23 and 24 depend from independent claim 18. These claims are allowable over the cited references at least by virtue of their dependency from one of claims 18 and 20.

### **Conclusion**

The Applicant respectfully submits that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present

application to issue, if any comments, questions, or suggestions arise in connection with the present application.

It is believed no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-1835.

Respectfully submitted,

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Date